

## John David Herndon

That we would have taken a flier and traveled to Paris knowing that Safe Return's first candidate to personify desertion as a legitimate act of resistance might not be willing to play the role we'd scripted for him was of small concern. It was emblematic of Tod's and my improvisational style that we trusted in our abilities to make things happen. We didn't imagine for a minute we'd go home empty handed. Neither did Jim Reston who hadn't just tagged along for the ride. Still as we relaxed and conspired that first evening over our Vietnamese meal on the Rue Saint Jacques not one of us could have anticipated what a hectic week lay ahead, nor how close we came to not achieving what we had set out to accomplish.

This is the tale that Jim Reston covers nicely in his book, and I have leaned on his account to refresh my own dimming recollections of the many details that stretched over the six days we would remain in Paris. What amuses in the reading today is that Reston's eye, quite naturally the recording camera, views his own role at times more central to the evolving adventure than was perhaps the case, as if he were the prime mover behind this dramatic undertaking and not Safe Return. And yet Reston's role was indisputably an active one. A conventional minded journalist might even argue that Reston had blown his objectivity when in fact his account is all the more vivid because he did not posture artificially as a disinterested reporter, but assumed a large measure of responsibility for the eventual outcome of his story. As a 'new journalist,' Reston writes in the first person crafting an eyewitness documentary where the narrator always gets star billing.<sup>1</sup>

Certainly it would have been in my mind, and in Tod's, that Jim Reston's participation would require as much management as Herndon's. Reston had genteel liberal sensibilities; his political views were *radicalized* by Vietnam, but he was not a radical. It wasn't so much our politics that interested Reston, but our eccentric lifestyles suggesting characters less familiar to him from life than from literary works by, say, John Dos Passos; thus the reference he cites to begin his book on John Herndon. For our part we viewed Reston as someone who, in the coded idiom of the New Left, "had no politics," no material or ideological stake in transforming the social arrangements which replicated the conditions in which most deserters like John Herndon were perpetually trapped. Such attitudinal rumblings, constantly whispered between Tod and I in snotty, knowing and mutually reinforcing asides, were never seriously aired during the Paris caper between the author and us.

On the surface our relations with Reston were more than collegial, they were chummy. The generational solidarity we three shared was genuine, based on mutual disgust toward the Vietnam War and outrage at the injustice of casting military resisters as sacrificial goats to further distract the public from demanding accountability of the war's architects and managers, a point on which Reston, to his credit, was uncompromisingly consistent. In truth, Reston's top drawer manner notwithstanding, Tod and I had a lot more in common with him than we did with most GI resisters. And, of course, in the short run all three of us were flogging the same show, banking on a big splash for the Herndon case.

The next morning Jim Reston and Tod Ensign rode the *Metro* to the outskirts of Paris where the city's underclass was warehoused over a drab landscape of high rise housing projects. They found John and his French girlfriend, Jeannette, in an unheated cold water flat near the top of their building's rear stairwell. It was a dreary habitat, Spartan in the extreme, two small

rooms with concrete floors and virtually no furniture beyond a bed, a kitchen table and a couple of chairs; the communal toilet was in the hallway. It was a cliché' setting for an exile's miserable existence, which no touch of literary or political romance could redeem.

This was not 'down and out in Paris,' a self-inflicted interlude of voluntary poverty from which the protagonist might one day emerge with a best seller. In the struggle to survive the two and a half years since deserting his unit in Germany, this *habitation a bon mache*' - bargain digs - was the dead end where John Herndon had finally come to ground. And even this was a gift, thanks to the young woman who'd taken him in and who now, she would soon confide, urgently wanted to escape his chronic drinking and abuse. It was Jeannette with her low wage job as a maid in a private school who qualified for this crummy housing, nonetheless prized by many impoverished Parisians for its subsidized rent, the equivalent at that time of twenty dollars a month.

John had expected the visit. Earlier that morning Jim Reston had sent him a *pneumatique*, that *tres* civilized calling card of Parisian sociability in the form of a small blue lettergram that sped around the city from one post office to another through a network of pneumatic tubes, and was then expeditiously delivered - as to Herndon that morning - by courier. John sat waiting in his kitchen, and responded stiffly when Tod began to question him on the state of the exile community and about whether he was ready to accompany us back to New York. John appeared to be taken off guard despite the fact that Safe Return's proposal to bring him home and defend his actions publicly had been communicated directly two weeks before... the letter to which he had not responded. That offer, suddenly materializing in the presence of these two imposing and articulate gents, seemed to leave John speechless, a rare state for the normally garrulous man we would come to know much better over the next several days.

We would soon learn why John was so flustered in that introductory session with Tod and Jim Reston. Safe Return's proposal may not have been the only one he was entertaining. What John volunteered to Reston during five solid hours of interviewing the following day was that a bit over a week earlier he had received a letter asking him to come to the American Embassy. It was signed, John said, by a Captain Friedberg who identified himself as a military attaché. John was to bring the letter with him and return it to Friedberg, which John says he did at the start of their meeting. But Friedberg didn't want to talk at the Embassy. He took John to a nearby café where he ordered a round of beers. Another man soon joined them whom John described to Reston as "CIA all the way." John said that the men quizzed him about the American deserter community, and offered him money for information. Friedberg also let on that they already knew James Reston, Jr. was coming to Paris to meet with John, to which John says he responded, "Who?"

Reston would later write that, according to John "the second man... had said, 'Look man, all bullshit aside, I could give you a couple of hundred francs beer money for the right answers.' The man reached into his pocket and pulled out 300 francs. John got up and said, 'Fuck you.' He walked out, terminating the interview." When John got home after the Embassy meeting, Tod's letter, dated February 24, was waiting for him. It had been tampered with, John told us. There was tape on the back. It was at this point that John says he learned he might be the subject of a book.

The news of John's meeting with Embassy officials was, as Reston put it, "electrifying." We'd been counting on the element of surprise to spirit John out of France, and now, apparently, that game was up. Embassy spooks not only had prior notice of our arrival, but knew, at least in outline, details of our intended action. From the start the challenges confronting this escapade

were daunting. To succeed we would have to pass John, who carried no passport and no military orders, through French customs, then board him on a Washington, D.C. bound U.S. air carrier without provoking interference from American authorities. It was a daring scheme and its execution, we understood in advance, could only be worked out on the ground in Paris. That's why we had initially assumed our stay would be more than a week - not only to firm John up - but to mobilize support among French sympathizers and antiwar American expats who resided there.

The next few days, as far as remembering my own movements, are something of a blur, and Reston's text doesn't help much, sighting both Tod and I only erratically to pace his version of events. Reston's principle subject was, quite rightly, John Herndon, and his book does sketch the biographic essentials on Herndon's background, and provides some detail about John's tour in Vietnam, as well as his intermittent wanderings as a political exile. In general, neither Tod nor I would ever have the time to probe more than superficially into the lives or military experiences of any subsequent client.

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James and Josephine Herndon, John's parents, moved to Baltimore from Monongah, West Virginia when John was eleven. James drove a truck over the road; Josephine was a housewife. John still came across as a hillbilly. His dialect remained pure Appalachian. An apathetic student, he had little book learning, dropping out of high school in the tenth grade to join the service. Moreover John projected a proletarian indifference, or perhaps simply innocence, toward the strategic advantages one might acquire in the upward trajectory of the American meritocracy through a bit of education and a veneer of social polish. In that sense he followed obediently the social script he had been handed at birth. It was hard to judge John's real aptitude or intelligence, but not his native cunning with its set of skills that had sustained a prolonged and difficult exile

just one step above the curb. At the same time John would show himself to be a quick study in the public arenas that awaited him, able to give his military experiences a mostly unified, if folksy, political spin before the media and the public officials who questioned him; how much of this new consciousness was actually him and how much another script was hard to tell.

John did not intuitively politicize what had in fact been his two separate, long term episodes of desertion. It would be more accurate to say that he had a soldier's grievances against the military, not a rebel's. John had been quick to grasp that, among those who did think politically and who actively opposed the war in Vietnam, he was seen symbolically as a soldier victim who defies authority and comes to the side of the people. This politicized status delivered a rare jolt of empowerment and approval to someone from John's background, and, of more immediate usefulness, a resource he might tap for survival.

The Movement network periodically provided John with food and shelter, a bit of pocket money and the occasional opportunity for a stint at low wage unskilled labor, for one stretch in a silk factory on the outskirts of Paris. The antiwar movement was one option for John, and he would pop in and out of these networks on his own timetable. But he was also a loner, and valued the independence of coming and going as he pleased, not to mention an attachment to cultural outlets closer to his own tastes, working men's bars and such haunts where he would have the company of fellow street people and deserters, away from the constant political and moral litmus tests and endless proselytizing of the antiwar activists. Characteristic of John's streak of self-sufficiency was his wandering south two years running at harvest time to join the migrant pickers in the vineyards and olive groves of Provence.

Reston interviewed several of John Herndon's middle class and professional political contacts in and around Paris, all of a uniform opinion about John's inadaptability to life in France;

for one thing he had made little effort to learn French and was content to rely on a patois of a few well worn words and phrases. And yet no one could really argue that John had not learned to communicate; they merely meant that without relative fluency in the language John could never become a cog in the French economic wheel, and therefore able to take care of himself and fashion a decent life - even assuming he could get his drinking under control and acquire the necessary labor discipline. It was felt that going home was in John's best interests, the only viable option in the long term. Maybe if John could work out his differences with the Army, he'd be able to get on with his life, although none of Reston's interlocutors expressed any deep conviction in such an outcome. Among those politicians and do-gooders who beheld John Herndon from the perch of a higher caste was the shared tendency to see him as essentially irretrievable, a foretelling that would prove tragically accurate.

Looking back it seems clear that, just as John's choices in exile had now been whittled to a single option, going home, the American wartime military had paradoxically represented the only real opening to a career path with a modicum of security that John would ever have. For Army lifers - those who are or wish to be professional soldiers - unless they're psychopaths, war is good for one thing only: rapid career advancement. It's the combat merit badge, especially in a position of command or leadership that pushes you ahead of your peers. In one sense everyone in the service - officer and enlisted man alike - has to run the gauntlet from the bottom up. But officers above the rank of lieutenant and upper tier NCOs who supervise the action from a relatively safe distance have the highest survival rates in combat, and it is the careers of these top echelon cadres which benefit most from war.

Vietnam did not, generally speaking, improve the career advancement odds for men like John Herndon; it made careers impossible, even - maybe especially - in the military. As a grunt,

John told Reston, he'd seen too much dirty work performed in the back yards of Vietnamese peasants who - whatever their ideological affiliations - couldn't defend themselves against the massacring, hooch-igniting, animal slaughtering, crop burning enraged and frightened GIs - especially when those same GIs were frustrated by their infrequent sightings of a real enemy and bent on revenge for the latest death of a comrade blown sky high by a booby trap on the fringes of a given hamlet whose residents the GIs would hold fully responsible for their losses. John also said that he had often witnessed the torture of VC suspects and civilians, the details of which Reston associated with testimony he'd heard, including my own, at the war crimes inquiries our old group CCI had staged the year before in Washington.

John made buck sergeant in Vietnam, a kind of battlefield promotion that comes after you've done your time in the field, and you're among the last of the seasoned hands still standing. That's when John's career in the Army peaked. From then on, what he's seen and done in Vietnam was probably enough to derail him. Leaving aside the immeasurable effects that such acts of mayhem and cruelty have on a normal human psyche, and the unpredictability of exactly how they would play out once civilian realities replaced the hermetic atmospherics of war, John had other grievances that the Army wouldn't or couldn't resolve. In fact, the deepest cut was the most mundane.

John was airborne trained and spent most of his time in Nam with a leg unit, deprived of the fifty-five dollar a month jump pay that added considerable spending power to the enlisted men's wallets of that era, not to mention the bragging rights and prestige of being a paratrooper. Even after he'd re-up'd in Vietnam - extended his enlistment contract - to get reassigned to an airborne unit, he was flimflammed by the Army, and after two months with the jump qualified Special Forces, sent back to the 199<sup>th</sup> Light Infantry. These are the kinds of grievances that weigh



heavily in the minds of the average Joe or Jane inside the armed forces, and which the command often greets with its own version of *noblesse oblige*. John didn't understand that the Army never has to hold up its end of a bargain with an enlisted man, and he now harbored a deep resentment for what appeared to him as an act of betrayal. His betrayal of the Army was just a matter of time.

The final roadblock to John's potential adaptation to Army life occurred late in his Vietnam tour. He was assigned to guard duty at a POW camp in Bien Hoa, not far from Saigon. As the story goes, he walked out the installation's main gate one morning when a sniper opened fire with an automatic weapon from the window of a nearby building. John says he jumped in a bunker and immediately returned fire with an M-60 machine gun. When the shooting stopped an eight year old Vietnamese girl, caught in the cross fire, lay dead in the street. In a moment of panic John went AWOL, hiding out in Saigon's Chinatown for a couple of days. When he returned to his unit he was arrested for murder, and spent forty days in pre-trial confinement.

The charges were dismissed at John's court martial since it was impossible to prove who had shot the girl. John regretted her death, but never seemed defensive when the subject came up which, for me, was one sign that he truly believed the girl's death, albeit tragic, was an unavoidable accident. Still, even though he was never tried, much less convicted in this case, it's the kind of stain that never disappears from your record, and will always be held against you by the powers that be in the Army when you try to get ahead.

Just as John's tour in Vietnam was about to end in late January 1968, the initial phase of the historic 1968 Tet Offensive broke out at Saigon's Tan Son Nhuet Air Base. John told Reston that a rocket exploded in the lounge where he waited to board the Freedom Bird for his home bound flight, now abruptly cancelled. For the next five days, John maintained, he was in

“continuous combat.” On January 31<sup>st</sup> a shard of shrapnel from an incoming rocket slashed John across his left cheek and ear, and another embedded itself in his chest. In the hospital, where he rested a couple of days after being sewn up, John claims to have he received an Army Commendation medal. On February 4, 1968, after nearly fifteen months in-country, the plane John Herndon finally boarded left Vietnam in the wake of enemy tracer rounds.

What followed now for John were a series of small disasters typical of the post-war sagas faced by so many returning Vietnam veterans, all the more intense for GIs still on active duty and expected to seamlessly readjust themselves to the numbing routines of garrison life. By any objective criteria, John’s continued service in the Army ought to have been judged unsuitable. But what mattered to the Army was not John’s relative suitability, but the three years he still owed the military since re-enlisting in Vietnam. Billeted with the infantry at Fort Jackson, South Carolina, John acted out his restlessness through a series of unauthorized absences, married the sister of a buddy on what seems to have been, at best, a whim, and then, leaving his new wife stateside, shipped out to a unit based in Germany. Some months later, when John learned he was slotted for return to Vietnam, he deserted for the first time.

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John told Reston that the only reason he returned to his old unit in Mannheim after his first sojourn in France from August 1969 till April 1970, was “to clear up the paperwork for divorce of his wife of one month.” She had written, “Set me free... You deserted the Army. You deserted me.” Judging from what John told Reston, his response to his wife’s urgent pleading could be taken as bizarre, suggesting the degree of monomania that his enervating struggle for survival had already inflicted on him. “Wow,” John said he remembered thinking when reading his wife’s letter, “What the hell is this world coming to? A man does something and his own wife don’t

even back him.” John’s idea that his wife should join him in Paris was certainly delusional, revealing, if nothing else, his total lack of regard for her well-being. Although it could be argued that John’s reaction was not mania alone, but a cultural reflex, a code among the hard working poor, certainly among the mountain people John had sprung from, that “for better or for worse” was a sacred vow, and the appearance of loyalty before outsiders, regardless of the circumstances, was to be expected.

At his court martial in Germany John was sentenced to four months in the stockade, and upon release, he would receive a bad conduct discharge, known as a BCD. The court also tore off whatever stripes John had remaining on his sleeves. So when his confinement ended in early August 1970 and John learned to his amazement that the general reviewing his case had rescinded the BCD, he was ushered back on active duty as a private with more than a year still remaining on his enlistment contract. John said he got word almost immediately that he was still on the personnel levy for Vietnam, and once more he fled to Paris. This time John wouldn’t return to the Army’s control until Safe Return surrendered him to a unit of MPs at New York’s Kennedy airport in mid-March 1972, twenty months after he’d deserted for the second time.

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For the remaining four or five days in Paris, Tod Ensign, Jim Reston and I attended to the major tasks that would actually get John on that plane headed back to the U.S., including the correction of a serious misstep. Contacting the airlines we discovered that there were no non-stop flights from Paris to Dulles Airport, near Washington, D.C. until June. That fact redirected us to New York. We had wanted to surrender John in Washington to be confined at Fort Meade, Maryland, close to his family in Baltimore. But the flights to Dulles landed first in Boston, where

passengers would clear Customs and John would almost certainly be detained, so the Washington plan had to be scrapped.

While we were run ragged over the next few days to meet our new deadline for departure, it wasn't all politics and no pleasure for our merry band of conspirators. This was Paris, after all, and we demanded our *nuit de gala*, as Reston would later style it, at the Brasserie Bofinger, a Michelin Guide two-star restaurant on the Rue de la Bastille. This moment clearly meant something very different to Jim Reston than it did to Tod and me. Reston sketches the scene in his book, the restaurant's *je ne sais quois* atmosphere, cushy banquets, "polished brass rails and a decor of oak and gossamer curtains across the windows." Starched white linen. Formal service. You've either been there or have certainly viewed the scene on lookalike sets from a dozen films. Reston records what each of us ordered; his choices more targeted than Tod's or mine. Here we have Reston the epicure, while, from where he sat, Tod and I were still eating from the tourist menu. I had snails, for example, and sole, while Jim feasted on "Oysters Marenne and Steak Béarnaise... and wine from the Loire." In fact, at that stage of life, Jim Reston undoubtedly had a step or two on the Safe Return twosome in matters of culinary sophistication. Over the years, that gap would close; but that's another tale.

The less bridgeable divide here between Jim, on one side, Tod and I on the other, was the author's interpretation of the occasion's social content, about which Reston would write: "Mike often talks about the class nature of the deserter phenomenon - about how difficult it is for the average American to accept desertion as a legitimate form of protest, especially if the deserter is inarticulate about the moral content of his act." And here we were, he continued, "living that class dichotomy" at Bofinger, while "John and Jeanette were undoubtedly dining on the lunch meat that they had deferred eating the night before." As if putting steak Béarnaise on John's plate

that night instead of lunch meat had anything to do with the realities of economic inequality that made Reston uncomfortable and self-conscious that evening about his own social privilege.

Eating at Bofinger was a treat for Tod and me; for Jim Reston it was more of an entitlement. To put it another way, given Tod's and my self-described identities as revolutionaries, our politics was all about exploiting class distinctions, not smoothing them over. Class harmony is a bourgeois conceit, right?

The next day, Thursday March 16<sup>th</sup>, 1972, Jim Reston went off to attend a session of the Paris Peace talks between the U.S. with its Saigon allies, and Hanoi with its links to the South Vietnamese National Liberation Front (the Vietcong). Reston's family connections, not least his dad at the *Times*, gave him excellent entre into the U.S. Paris-based press corps, and through them, a direct line to the Embassy press liaison who credentialed Reston to attend the conference. Tod and I wandered off to the Paris bureau of CBS News to confirm our arrangement with a correspondent in New York whom we had briefed about our plans, and who was to fly to Paris when we were ready to move. At the bureau, we wasted a half hour heatedly arguing with the secretary that she was authorized to put us through to the New York office, and in the end the network's Paris-based European correspondent, Peter Kalischer, whose seniority dated from the second world war, pulled rank on his New York colleague and decided to cover the story himself.

Kalischer was a dapper fellow who, a la Hugh Hefner of Playboy, sported an ascot - a particularly anachronistic fashion statement for those counter-cultural times. He seemed more impressed by Jim Reston's association to the project than with its political topicality. Jim's dad was, after all, the highly influential James "Scotty" Reston, Sr., former bureau chief of the New York Times' Washington office, and now the paper's lead editorial columnist; and, Kalischer, like his own boss, CBS anchor Walter Cronkite, was a newsman of the senior Reston's World

War 2 generation. For tactical reasons it was decided that Jim Reston would manage Kalischer's contact with John Herndon until we departed Paris.

Partnering Reston with Kalischer was not without its frictions. There was a clash of styles, Kalischer objecting to Reston's tendency to prompt John during his initial interview with CBS, a necessary measure, Reston argued - quite legitimately in my view - given John's lack of media savvy and the fact that whatever he volunteered for the public record could be held against him in a subsequent court martial. Kalischer had also expressed annoyance that Reston appeared on camera with John during background filming at which the correspondent himself had not been present. For the 'new journalism,' which Reston practiced, the writer's point of view was as central to the story as a rendering of the facts. Behind the pose of objectivity, Kalischer, like so many mainstream journalists, promoted the views of the establishment which, more often than not, coincided with their own.

The stand-off between Reston and Kalischer was a pure moment of what had come to be known as the 'generation gap,' the deep chasm separating the values of the Vietnam generation from those of its parents. Reston's distaste for Kalischer's pretense to objectivity was perhaps an expression of disappointment he felt toward his own father's views on Vietnam. "My old man," he confided to me once, referring to the senior Reston, "doesn't hit the target much these days." Even now, whenever I see him, Jeremy Rifkin reminds me of a shouting match between myself and Bill Small, the head of CBS News in Washington in 1971 when I blurted out, "You're just like my father."

As already noted, I'd spent time in Paris on two previous occasions during the past year and a half, and loved the city for the café life, my first fatal taste for which was cultivated, not in the City of Light, but along the Avenida Atlantica of Copacabana Beach as a university

undergraduate in Rio de Janeiro in 1964. As a relatively compact city, all of Paris was easily walkable from one end to the other in several hours. And there was no habit when I was young and single that more adapted me to city life than the mobility that derives from not having to own or operate a motor vehicle. The elegant scale of the Parisian cityscape was an added dividend to the pleasures I felt simply being there, gliding unhurriedly on the boulevards along the Seine and among the narrow back streets of the interior *arrondissements*, slumped absent-mindedly over a *café au lait* at one of Coupole's sidewalk tables, or in the park at Tuileries near the Carrousel sipping a sweet Martini & Rossi with a twist over ice after standing for fifteen minutes before one of my favorite impressionist canvases, Manet's *Le Dejeuner sur l'herbe* in the small museum at the edge of the gardens. It was a tourist's round, I freely admit, but no less agreeable for that. In reality, any expat fantasy I may have entertained of actually inhabiting Paris was displaced by living in the New York's East Village from where the old world was much in view.

On my first visit to Paris in mid-summer 1970, while circulating within the Left to bring news of the burgeoning movement among antiwar veterans, I was introduced to Maria Jolas, a former Louisville belle transformed from the nineteen thirties until her death in the late eighties into a *grande dame* of Parisian intellectual and literary life. Through her husband, Eugene, an American-born critic and essayist reared in France, Maria – pronounced Mariah - became intimate with the family of James Joyce whose *Finnegans Wake*, Eugene and she had helped bring to publication, excerpting fragments of the *Work in Progress* in their avant garde literary magazine, *transition*.

Her role as a leading figure among the American antiwar expatriates in Paris had occasioned that first meeting with Jolas, but it was the aura of James Joyce that thrilled and intrigued me. I had been an avid reader of Joyce since high school, and had spent my only three

days in Ireland in the summer of 1970 on the self-guided walking tour that traced the day long peregrinations throughout Dublin of Leopold Bloom, and the author's alter ego, Stephen Dedalus, the protagonists of *Ulysses*, Joyce's modernist masterpiece.

As I sank into a stuffed chair in the parlor of Jolas' flat I was in awe of both this prepossessing older woman and of the Joyce memorabilia that everywhere surrounded us. Not surprisingly Jim Reston suffered a similar literary tic, and when he learned that Maria Jolas had also in recent years participated in a support network for American deserters, he asked me to facilitate an interview. Jolas, who was used to commanding an audience, held forth with a string of monologues reminiscing about Joyce in Paris, and responding to questions about her experiences with the deserters. As anyone who'd ever met her could easily verify, Jolas punctuated each pause in her delivery with an emphatic "*Bon.*" The deserters, she said, were "poor things," social rather than political cases. In a letter she had written Reston after we'd left Paris, Jolas, citing Alfred Doebelin, described Herndon as a *kleiner Mann*, an unintentionally defamatory reference to the ingrained social alienation that, in her view, bound John irrevocably to the underclass.

After Reston's book appeared, Jolas wrote a bitter letter to the publisher complaining that the author ought to have had the good sense, if not the common decency, to censor that characterization of Herndon as a *kleiner Mann*. Given Reston's sympathy for Jolas and the uncomfortable reality that chagrined him at being accused of acting ungallantly toward a somewhat iconic elderly woman, Reston nonetheless was forced to reply that Jolas had after all used the term and it was fair game unless she put it 'off the record.' Of course the fact that she had written and not spoken the phrase seemed to weaken Reston's defense, while the slur to a member of the *underclass*, like John, was utterly meaningless. And still, this flap was another



sign of the times, of the leveling of manners which lowered the class privacy barriers that once insulated the gentry from the public consequences of their indiscretions, currently evolved to the extreme where every twenty-something telemarketer or wait-person, with unseemly familiarity, addresses you by your first name.

The next day, Friday, John Herndon and Jim Reston traveled north to Rouen, a side trip prompted by both Reston's and Kalischer's media agendas, to interview a circle of French left wing academics and intellectuals who had briefly provided John with shelter and subsistence during the early stages of his initial desertion, before he had settled into Paris. The train ride was an ideal opportunity for Reston to debrief John on the more colorful contacts his status as an American deserter had afforded him among political and movement celebrities either residing then in Paris, or simply passing through.

There was Madame Nguyen Thi Binh, president of the Provisional Revolutionary Government of South Vietnam and chief of the NLF mission to France, to whom John had sent an open letter that was published in *L'Humanite'*, the French Communist daily, and also appeared in several American underground and G.I. newspapers. Herndon told Reston he had written Mme. Binh to thank her for comments at a Paris press conference where she announced that "the South Vietnamese people and its armed forces are disposed to cease fire on American soldiers who do not undertake hostile actions against them." Herndon would later have a personal meeting with Mme. Binh, describing her to Reston as "very, very friendly," and "very smart." Their discussion, he said, concentrated on American racism toward people of color, and the topic of desertion did not come up. John left the meeting with an NLF ring, manufactured from the metal of a fallen U.S. aircraft. Such rings were prized possessions among American antiwar activists.

John had also met more than once with the American writer Mary McCarthy, who, while not an expatriate, spent most of the year at her residence in Paris where she dabbled in the local antiwar councils among the city's other highbrow artists and intellectuals. Herndon was high on McCarthy too, whom he described to Reston as "a beautiful person..." who would support "anything I want to do - if she likes the idea." The assumption here was that McCarthy could be touched from time to time for a modest handout. And there was the egalitarian Jane Fonda who snubbed the beautiful people at her Paris press conference to spend forty-five minutes conversing with John, because, as he put it, "she don't consider herself too good" for the likes of him.

In a strangely parallel universe, mostly later in life, I would also spend some significant moments in the company of these three powerful women. The connection with Jane Fonda, of course, was already in the past around the previous year's organizing of Vietnam veterans to testify publicly about American atrocities. Her working relationship with our group had foundered during what was known to a few cognoscenti familiar with those events through personal experience or from knowledge garnered by consulting the spare historiography that documents that work as the VVAW/CCI split.<sup>2</sup> By 2004, in the midst of writing her memoir, Fonda called me and we spoke by phone on several occasions about our brief collaboration in 1970. She would ignore that episode in her book, but listed both Tod and I in her acknowledgments, and sent me an autographed copy signed, X Jane.

Mary McCarthy I would come to know, not in Paris, but in the late 80s in Maine while in the company of my former long term companion, Carol Brightman, her biographer and mother of our son Simon, my only child.<sup>3</sup> One tread lightly around McCarthy or felt her sting. There were pleasant as well as charged moments in McCarthy's company when we stayed on several occasions in the Castine summer house she kept with her fourth husband, Jim West, a retired

diplomat. West dispensed PIM's cups on the patio and Mary, a superb cook, would make the breakfast herself. The couple would bicker on the fine points of any subject or about the meaning of some word one alleged the other to have misused, then scurry to an authoritative reference to adjudicate the matter by determining who was right and who was wrong; and there things would rest amicably until the next go round.<sup>3</sup>

When Carol Brightman and I returned to Vietnam in the summer of 1994, Madame Binh was our hostess on several occasions, including a small "banquet." Carol had been a member of the Bertrand Russell sponsored team, to include the dashing Oxford intellectual, Tariq Ali, that went to North Vietnam in 1967 to investigate the effects of U.S. bombing on Vietnamese civilians. I, of course, had never been to Hanoi where our visit began and then took us all the way south, passing my former base camp in Duc Pho, and, through Saigon, on to the Delta. Carol had met Mme. Binh at a youth conference in Sarajevo in the late sixties even before she had gone to Vietnam, and several years later Carol would name her daughter for this same woman who had been an icon of the American antiwar movement. Both our children accompanied us on this Vietnam return, and, while she was gracious to all of us, Mme. Binh showered much of her attention on her namesake, Sarabinh.<sup>4</sup>

As for the detour to Rouen, beyond some rueful asides recorded in Reston's book on Jeanne D'Arc, who the English burned here at the stake in 1431, and a cultural curtsy to the city's famous cathedral that had once filled the eye of Claude Monet, the overnight among the French lefties in the Normandy capital was strictly *mise en scene*, staged for the copy and footage it might produce for the writer and the tele-journalist. When John and Jim arrived back in Paris, Tod presented them with some disquieting news that Jeannette had shared with him and I earlier that same Saturday morning. On the evening before departing for Rouen, while John huddled

with us at our Left Bank hotel on the Rue des Ecoles, the gendarmes had paid a house call on Jeanette. Given John's pattern of taking out such misfortunes on her, Jeanette did not tell him of the visit that night when he'd come home.

Jeanette had spent some years in Philadelphia with her American mother, which accounted for her excellent, charmingly accented, English. She'd come back to France to live with her father, but after giving birth to a daughter, her own father kept the baby by convincing the authorities that Jeannette was unfit to be a parent. For some months Jeanette had been trying to regain custody of her child, and lived in terror of the French police who seemed to spend considerable energy harassing the working poor, not least those who lived in subsidized housing. Some gendarme or other was constantly checking Jeannette's pay stubs in an attempt to catch her cheating on the minimum salary conditions that qualified her to live in that disgraceful substandard hovel. Moreover, *les flics* would torment her with threats of never getting her daughter back as long as she lived in such a dump with a low life American loser. Jeannette had more than one reason for wanting to see the last of John Herndon.

After fretting for a day, Jeanette decided to seek the advice of our mutual American draft resister friend, Joe Heflin, one of the more together of the Vietnam era exiles in Paris, and the guy who'd sent that initial letter saying John was ready to come home. Heflin went to Jeanette's apartment and helped her remove antiwar materials that the French cops might discover if they returned and decided to search the place. It was never clear that the materials in question possessed the weight of incrimination that would somehow empower this or that action on the part of the authorities. It's true that the American deserters in France had been given a welcome with certain strings attached, to include the discouragement of overt political agitation.

Heflin, after dumping a pile of G.I. newspapers in an empty field near John and Jeanette's apartment building, told Tod and me that he was fearful that our whole band would be spirited off to Corsica before we could get John out of France. Corsica was where political troublemakers might find themselves suddenly transported for an indefinite stay, especially at moments of sensitive international dealings - the presence of a high level American delegation, for example. This was Europe, the Napoleonic Code held sway, you had human but not always political rights as, say, those once clearly codified by George Mason, and appended to the U.S. Constitution. Heflin was an educated Southerner, a cautious fellow with a tender conscience who was alternately scandalized and exhilarated by Tod's and my free-wheeling and stagy political style.

Reston, in his text, suggests that I was particularly nervous about the deportation scenario, as well I might have been. Six months earlier I'd been deported from Canada in the midst of the Québécois rebellion merely for the crime of being in transit to the Soviet Union, and because I was to meet with some local Communists before that flight. A year later, returning to Paris, Heflin's warning proved almost prophetic when French Interior Ministry agents threatened to dump me at the German border if Safe Return attempted to hold an Exile Conference which the French government opposed (about which, more anon). But the consensus in March 1972 was that our actions involving the repatriation of John Herndon were unlikely to attract the ire of the French authorities. As a precaution, however, we booked John and Jeanette into our hotel under Reston's name, while Jim himself, in the spirit of our cloak and dagger play acting, took a room up the street under the name *Keston*, a clever subterfuge easily missed during a clerk's cursory glance at his passport. The game was afoot and we were primed to move on Monday, less than forty-eight hours away. The next day, Sunday, I boarded an early morning flight for New York.

My job now was to work the other end of the return, contact John's parents and rally our congressional support to weigh in against whatever shady dealings the Army might have in store for John. Tod and Jim, after making inquiries through a sympathetic Parisian lawyer to the head of the foreigners' section of Ministry of Interior, were informed that "the French government's main concern was that its policy of asylum be protected. It must not appear that John was being kicked out of the country..." The Ministry "would not object to his departure... if a legal document were drawn up to state that John had no difficulties with the French government."

From here on all our moves in both Paris and the U.S. were improvised. At seven-thirty Monday morning, Reston placed a call to the duty office at the American Embassy who was informed that members of the Safe Return Committee would seek to board an American deserter at noon on a TWA flight bound for New York. A consular officer told Reston that Herndon could not be boarded without a passport, to which the author replied, "I can assure you that if he isn't boarded, they will all jump in a car and come to the Embassy to ask why, with the cameras rolling." Reston was clearly warming to the role of activist provocateur, sounding more and more like Abbie Hoffman than an erstwhile member of the mainstream Fourth Estate. At the airport the cameras were indeed rolling, and John delivered flawlessly the statement he'd been going over with Tod and Jim most of the previous day. John thanked the French government for its hospitality, adding that he was leaving voluntarily for home to "ask the American people to grant universal amnesty for people like me opposed to the Vietnam War who are now in exile."

Next Tod stepped to the front, described the work of Safe Return, and identified himself as John Herndon's attorney. "John's going back with us today to New York," Tod announced. "We're going to be surrendering to military authorities there, and John will be taking his case into the courts to fight the Army's charges of desertion." John had done the right thing in refusing to

return to Vietnam, Tod added, “given the policies of the United States government in Indochina,” referring to the same war crimes policies we had spent the past two years trying to expose. With the amnesty issue, we’d moved away from the “war crimes industry” but, as Tod’s statement made clear, we were anything but done with our opposition to the war. Stepping to the ticket counter John presented his battered military ID. When TWA momentarily balked at boarding John without a passport, Tod explained that since the French government, with which the company had its agreements concerning proper documentation, had no objection, why should TWA? “John and Jeanette kissed passionately,” Jim Reston records, after which John was whisked through customs as if they were afraid, Reston noted dryly, that he would “slip back out and bolt for Paris.”

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Mr. and Mrs. James Herndon, John’s parents, arrived at JFK a half hour before their son’s flight from Paris. Mrs. Herndon later told Reston that when they were approached in the terminal by a tall thin “hippie looking” fellow in jeans, she whispered to her husband, “That’s gotta be Mike.” The CBS correspondent we’d communicated with originally in New York, Steve Young, was also there, and had already greeted the couple. He explained to the Herndons that they would not be picking John up that afternoon, as they had somehow misinterpreted from my phone call the evening before. Apparently, being both tired and speeding with a dozen other calls to make that night, I hadn’t been terribly clear in telling them the terms of John’s sudden repatriation. Just in time to watch a military escort read John his rights, and, after they were granted five private minutes with their son, John was whisked off to a brig in the Brooklyn Navy Yard. Then the fun began.

For the next five days, Tod and another attorney we had retained, Hal Weiner, with a track record of trying cases in military courts, played cat and mouse with the Army's office of public information and, its legal branch, the Judge Advocates General. Behind a smoke screen of feigned cooperation, the Army planned to spirit John back to Ft. Jackson, South Carolina, informing his civilian attorneys only after the fact. It was quite by chance that CBS's Steve Young had made this discovery, and in fact by Tuesday afternoon John had already been transferred from Brooklyn to Ft. Dix, New Jersey, where he awaited his flight south.

Among the several calls I had placed the morning before John's arrival from Paris were two of particular importance to what happened next. The staff person at Mike Gravel's office had actually put me on the phone with the Senator from Alaska, one of the few members of Congress advocating for a universal amnesty. I now placed a second call to Gravel's office, alerting him to the Army's removal of John from New York, in effect denying him access to his civilian counsel. While Gravel raised hell with the Pentagon, Tod and Hal Weiner had rushed to the Federal courthouse in Brooklyn to seek an injunction against the Army's maneuver. While the judge would not order an injunction, he requested that the Army return John to the court's jurisdiction for a hearing that coming Friday. In essence, the Army had little choice but to comply, since John's repatriation and challenge to the military was already an emerging *cause celebre* with prominent articles appearing in the nation's then two largest circulation dailies, *The New York Times* and *New York Daily News*, not to mention a short feature that ran on CBS network news.<sup>5</sup>

My second call that Monday had been to our old ally Bella Abzug, the lefty Manhattan Congresswoman, but I rang off feeling that the receptionist failed to grasp the urgency of the situation. The next morning when tidings of John's case hit the newsstands, I arrived at the Safe Return office on Fifth Avenue just in time to take a direct call from Bella Abzug herself. Clearly



Bela had seen the news, and without permitting me a word in edgewise other than the briefest update, announced that she would join us Friday morning at the courthouse in Brooklyn. Tod and I were elated by this development; Bela was one of the few politicians in office who would never waffle on the question of the Vietnam War's fundamental immorality. She would try to steal the show, of course, but so much the better.

As it turned out, Bella arrived late on Friday, and Tod and Hal had been obliged to face the judge without her. The outcome was better than we could have possibly hoped for. The judge presided over a stipulation between the U.S. Army and the Safe Return Amnesty Committee in which the former agreed to keep John at Fort Dix for the duration of his trial. When we emerged from the courtroom Bella was steaming, as if somehow we had conspired to keep her from the action. Clever politician that she was, however, Bella improvised, bullying the military police to remove John's handcuffs, after which Bella escorted him back into the court building for a personal interview. She then told reporters that she had "intervened with the Army to keep Herndon in New York," and that she would soon introduce universal amnesty legislation to cover deserters like John in addition to the more politically palatable draft resisters. In the prominent photo that accompanied a detailed article in the next morning's Washington Post, John Herndon occupies the foreground flanked by a two man military escort. In the background over John's shoulders, two distant figures stand out smiling broadly, Tod on the right, me on the left. Who was good angel and who the bad? It was long ago, of course, and I'd forgotten the full beard I had sported briefly then.<sup>6</sup>

## Endnotes [in progress]

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1. All quoted material in this chapter appears in Reston ob. cit. unless otherwise cited.
  3. *Writing Dangerously, the Life of Mary McCarthy*. Clarkson Potter, 1992.
  4. “Vietnam’s MIAs: A veteran’s return and search for the missing story,” Michael Uhl. *The Nation*. November 14, 1994.
  5. “Vietnam Veteran Flies Home to Face Court-Martial,” by Thomas Pugh. *New York Daily News*, March 21, 1972. “Army Deserter Back From Paris,” by Laurie Johnston. *The New York Times*, March 21, 1972. Also, “Soldier trying to test desertion law is kept from lawyers, they say,” by Gordon W. Chaplin. *The Baltimore Sun*, March 22, 1972.
  6. “‘Test Case’ Deserter Returns, Wins Bid to Stay in N.J. Area,” by Stephen D. Isaacs and Michael Getler. *The Washington Post*, March 25, 1972. “Army Reneged: Deserter.” *New York Post*, March 25, 1972. “A Court Test for Deserter?” by Barbara Trecker. *New York Post*, March 28, 1972.